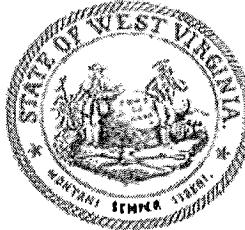
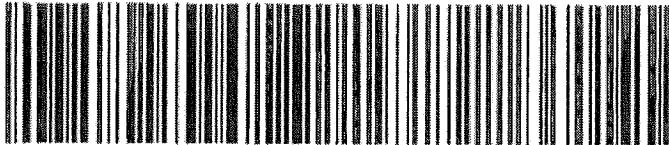


Office of the Secretary of State  
Building 1 Suite 157-K  
1900 Kanawha Blvd E.  
Charleston, WV 25305



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CHANDI TRUCKING, INC.  
BALWINDER SINGH CHANDI  
15637 IRON SPRING LANE  
FONTANA, CA 92336

**Mac Warner**  
Secretary of State  
State of West Virginia  
**Phone:** 304-558-6000  
886-767-8683  
**Visit us online:**  
[www.wvsos.com](http://www.wvsos.com)

**Control Number:** 248458

**Defendant:** CHANDI TRUCKING, INC.  
15637 IRON SPRING LANE  
FONTANA, CA 92336 US

**Agent:** BALWINDER SINGH CHANDI

**County:** Roane

**Civil Action:** 19-C-38

**Certified Number:** 92148901125134100002617025

**Service Date:** 11/20/2019

I am enclosing:

**1 summons and complaint**

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

*Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.*

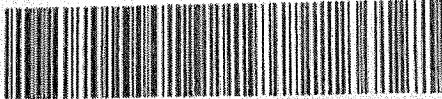
Sincerely,

A handwritten signature in black ink that reads "Mac Warner".

Mac Warner  
Secretary of State

Office of the Secretary of State  
Building 1 Suite 157-K  
1900 Kanawha Blvd E.  
Charleston, WV 25305

USPS CERTIFIED MAIL™



92148901128134100002617032



Mac Warner

Secretary of State

State of West Virginia

Phone: 304-558-6000

888-767-8883

Visit us online:

[www.wvso5.com](http://www.wvso5.com)

SILVER CARGO, INC.  
GURDEEP SINGH  
209 PALMETTO DRIVE  
UNIT 5  
ALHAMBRA, CA 91801

Control Number: 248459

Defendant: SILVER CARGO, INC.  
209 PALMETTO DRIVE  
UNIT 5  
ALHAMBRA, CA 91801 US

Agent: GURDEEP SINGH

County: Roane

Civil Action: 19-C-38

Certified Number: 92148901125134100002617032

Service Date: 11/20/2019

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

*Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.*

Sincerely,

Mac Warner  
Secretary of State

11-06-19 09:47 FROM-

T-267 P0001/0003 F-131

SUMMONS  
IN THE CIRCUIT COURT OF ROANE COUNTY, WEST VIRGINIA

RAYMOND CLAY

Plaintiff,

v.

CIVIL ACTION NO. 19-C-38  
JUDGE Monica Bailey

SINGH BARINDER,  
CHANDI TRUCKING, INC., and  
SILVER CARGO, INC.

Defendants.

To the above-named Defendant:

SILVER CARGO, INC.  
a California Incorporation  
c/o Gurdeep Singh  
209 Palmetto Drive, Unit 5  
Alhambra, CA 91801

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon BAILEY JAVINS & CARTER, LC., plaintiff's attorney, whose address is Post Office Box 3712, Charleston, West Virginia, 25337, an answer or response, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer or response within thirty (30) days and your responses to any discovery (if applicable) within forty-five (45) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 11/16/19

Monica Bailey  
Clerk of the Court

SUMMONS  
IN THE CIRCUIT COURT OF ROANE COUNTY, WEST VIRGINIA

RAYMOND CLAY

Plaintiff,

v.

CIVIL ACTION NO. 19-C-38

JUDGE Anita Bailey

SINGH BARINDER,  
CHANDI TRUCKING, INC., and  
SILVER CARGO, INC.

Defendants.

To the above-named Defendant: CHANDI TRUCKING, INC.  
a California Incorporation  
c/o Balwinder Singh Chandi  
15637 Iron Spring Lane  
Fontana, CA 92336

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon BAILEY JAVINS & CARTER, LC., plaintiff's attorney, whose address is Post Office Box 3712, Charleston, West Virginia, 25337, an answer or response, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer or response within thirty (30) days and your responses to any discovery (if applicable) within forty-five (45) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 11/19/19

Andrea Stockner  
Clerk of the Court

E-FILED 11/5/2019 1:36 PM  
CC-44-2019-C-38  
Roane County Circuit Clerk  
Andrea Stockner

**IN THE CIRCUIT COURT OF ROANE COUNTY, WEST VIRGINIA**

RAYMOND CLAY

Plaintiff,

v.

CIVIL ACTION NO. 19-C-  
JUDGE

SINGH BARINDER,  
CHANDI TRUCKING, INC., and  
SILVER CARGO, INC.

Defendants.

NOV 19 2019

**COMPLAINT**

Comes now the plaintiff, Raymond Clay, by counsel, for his complaint and alleges and avers as follows:

**PARTIES, JURISDICTION AND VENUE**

1. At all times relevant hereto, plaintiff Raymond Clay is and was a resident and citizen of Craigsville, Nicholas County, West Virginia.
2. At all times relevant hereto, defendant, Chandi Trucking, Inc. and/or Silver Cargo, Inc. (hereinafter “Chandi Trucking and/or Silver Cargo”), are and were a California corporation with their principal place of business located in California. Defendant Chandi Trucking and/or Silver Cargo owns, leases, operates, controls, and maintains large commercial motor vehicles and tractor trailers which are operated in interstate commerce in various states including the State of West Virginia. As such, Chandi Trucking and/or Silver Cargo are, and at all times relevant herein were, subject to the jurisdiction of the Federal Motor Carrier Safety Administration (“FMCSA”) and the West Virginia Public Service Commission (“WVPSC”) and were responsible for compliance with all applicable FMCSA and WVPSC rules and regulations, including West Virginia Highway Safety statutes, as well as commonly accepted and well-

known commercial trucking safety standards.

3. At all times relevant hereto, upon information and belief, defendant Singh Barinder was a resident and citizen of Anaheim, California. As a professional commercial truck driver for defendant Chandi Trucking and/or Silver Cargo, acting within the scope of his employment for defendant Chandi Trucking and/or Silver Cargo, on September 13, 2018, defendant Singh Barinder was, at all times relevant hereto, subject to the jurisdiction of the Federal Motor Carrier Safety Administration ("FMCSA") and the West Virginia Public Service Commission ("WVPSC") and was responsible for compliance with all applicable FMCSA and WVPSC rules and regulations, including West Virginia Highway Safety statutes, as well as commonly accepted and well-known commercial trucking safety standards.

4. Jurisdiction and venue are proper before this Court pursuant to W. Va. Code 56-1-1, in that the events giving rise to this cause of action occurred in Roane County, West Virginia; plaintiff is a West Virginia resident and citizen; and defendants, California residents and citizens, transact and conduct business in West Virginia.

**COUNT I**  
**FACTS and NEGLIGENCE**  
**ALL DEFENDANTS**

5. At approximately 9:00 p.m. on September 13, 2018, plaintiff Raymond Clay was lawfully operating his 2002 Chevrolet S10 pickup truck with attached haul trailer, northbound on Interstate 79 near the Wallback exit in Roane County, West Virginia.

6. At the same time, date and place, and in the same lane of travel as the plaintiff, defendant Singh Barinder, while acting as an agent, servant and/or employee of defendants Chandi Trucking and/or Silver Cargo, was operating a Volvo BTM tractor trailer (VIN: 4V4NC9EJZJN891954) ("subject tractor trailer"), owned by defendants Chandi Trucking and/or

Silver Cargo.

7. Plaintiff Raymond Clay had just merged from the Wallback exit onto Interstate 79 and was operating his vehicle and trailer lawfully in the right-hand lane.

8. Defendant Singh Barinder, while operating the subject tractor trailer, violently rear ended the plaintiff and rode up onto the plaintiff's haul trailer, resulting in the collision. Defendant Singh Barinder failed to maintain control of the subject tractor trailer.

9. Because defendant Singh Barinder was acting in the scope of his employment on September 13, 2018, and was acting on behalf of his employer at the time he rear ended the plaintiff's vehicle, defendant Chandi Trucking and/or Silver Cargo is/are vicariously liable for his actions and conduct.

10. Defendant Singh Barinder, by rear-ending the plaintiff's vehicle - haul trailer, acted in a negligent, careless, reckless, outrageous and unlawful manner, and in violation of the statutory and common laws of the State of West Virginia, including but not limited to, W. Va. Code 17C-6-1, W. Va. Code 17C-7-10, and applicable Federal Motor Carrier Safety Regulations, as well as commonly accepted and well-known commercial trucking safety standards, including but not limited to, the West Virginia DMV Commercial Driver's License Manual. As a result, defendants' tractor trailer violently collided with plaintiff's vehicle, causing traumatic, serious and disabling injuries to plaintiff Raymond Clay.

11. As a result of the collision, plaintiff Raymond Clay suffered the following injuries, including but not limited to, a fractured cervical vertebrae; chest wall contusion; abdominal wall contusion; and closed head injury.

12. Defendants' negligent, careless, reckless, outrageous and unlawful acts and omissions, under the conditions set forth above, were a proximate cause and resulted in plaintiff

suffering severe and permanent injuries and damages described herein.

13. As a direct and proximate result of the actions, omissions and conduct of the defendants, on and prior to September 13, 2018, the plaintiff, Raymond Clay, sustained severe, permanent and disabling injuries described herein, and he has further sustained the following past and future damages:

- a. extreme physical pain and suffering;
- b. extreme mental anguish and suffering;
- c. permanent physical impairment;
- d. loss of wages and benefits;
- e. loss of future earning capacity and benefits;
- f. loss of capacity to enjoy life;
- g. medical expenses past and future;
- h. annoyance and inconvenience; and,
- i. permanent scarring, disfigurement, and range of motion.

**COUNT II**  
**INDEPENDENT NEGLIGENCE**  
**DEFENDANTS CHANDI TRUCKING AND/OR SILVER CARGO**

14. The plaintiff repeats and incorporates here by reference, the allegations contained in paragraphs 1 through 13 of this Complaint as if set forth herein verbatim.

15. Defendants Chandi Trucking and/or Silver Cargo, as an interstate and federal motor carrier, owed a duty to defendant Singh Barinder, plaintiff Raymond Clay, and all motorists and persons travelling on interstate highways, pursuant to the FMCSA and OSHA safety regulations, as well as its common law duty to use reasonable and ordinary care.

Defendants Chandi Trucking's and/or Silver Cargo's duties included the following:

- To provide their employees, including defendant Singh Balwinder, with required safety training and safe equipment;
- To inspect, service, repair, and/or maintain the subject tractor trailer to ensure that it is being operated in compliance with the FMCSA, applicable West Virginia rules/laws and commercial trucking industry standards;
- To ensure that their employees, including defendant Singh Barinder, operate their equipment, including the subject tractor trailer, in compliance with the FMCSA, West Virginia rules/laws and commercial trucking industry standards; and
- To ensure that their employees, including defendant Singh Barinder, received the proper and required safety training, and by reason of experience, training or both, are familiar with the proper methods and procedures for operating their equipment, including the subject tractor trailer.

16. Defendants Chandi Trucking and/or Silver Cargo negligently, carelessly, and unlawfully breached its duties referenced herein.

17. As a direct and proximate result of the defendants Chandi Trucking's and/or Silver Cargo's negligent actions and omissions, on and before September 13, 2018, plaintiff Raymond Clay sustained the severe and permanent injuries and damages described herein.

**WHEREFORE**, plaintiff Raymond Clay demands judgment against the defendants, for such an amount as will be determined by a jury according to the laws of the State of West Virginia, with statutory costs and attorneys' fees, pre-judgment interest, and post-judgment interest.

PLAINTIFF DEMANDS A TRIAL BY JURY.

RAYMOND CLAY  
By Counsel,

  
J. Ryan Stewart (WVSB #10796)  
D. Blake Carter, Jr. (WVSB #9970)  
BAILEY JAVINS & CARTER, LC  
213 Hale Street  
Charleston, WV 25301  
Telephone: (304) 345-0346  
*Counsel for Plaintiff*